

STATEMENT OF CASE

OR 01-005945

JCR 01-005934

AR 01-005954

SDSO CR 01-031683-L

ARRESTEE: Alice Laurene KRUSE, dob 9/15/58
(Ref. AR 01-005954)

OFFENSE: 245(c) PC Assault with a Deadly Weapon
Against a Police Officer (x2)
273a(a) PC Child Endangerment (Felony)

ARRESTEE: [REDACTED]
(Ref. JCR 01-005934)

CHARGES: [REDACTED]

VICTIMS: Officer M. CONLON #185
Officer M. MOULTON #189

LOCATION: 1641 Dehesa Road, El Cajon

DATE/TIME: Wednesday, 4/18/01 @ 1305 hours

REFERENCE: STATEMENT OF CASE

FACTS:

On 4/18/01, ECPD Det. ROBERTSON met with Officer CONLON and informed him of a fraud investigation he was conducting. In that investigation, Det. ROBERTSON had developed probable cause to arrest a suspect. ROBERTSON told CONLON there was a female by the name of Alice KRUSE, driving a green Jeep Cherokee, on the property located at 1641 Dehesa Road. Det. ROBERTSON told Officer CONLON that KRUSE had recently been a companion of the suspect in the fraud investigation and he wanted to contact her to speak with her as to her level of involvement in the case. Det. ROBERTSON said he knew KRUSE had previously transported the suspect in the Jeep, but he didn't know if the fraud suspect was in the vehicle at that time.

Det. ROBERTSON went on to tell Officer CONLON that the property near 1641 Dehesa Road, a rural property with several barns, residential structures and outbuildings, was a "flop house" for several subjects involved in the fraud investigation. Det. ROBERTSON added that he wanted Officer CONLON to go with him onto the property in an attempt to contact KRUSE because he didn't know how many subjects they may encounter.

After this conversation, Officer CONLON radioed to Officer MOULTON, who was a short distance away, and asked for his assistance in this investigation. At that time, Det. ROBERTSON noticed the green Jeep Cherokee driving southbound across the property to an upper portion of the property.

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Det. ROBERTSON left Officer CONLON and drove around the property outside the western perimeter in an effort to locate KRUSE and/or the Jeep she had been driving. He saw KRUSE driving around the southwest portion of the property and then turn around and drive back toward where she had started. He radioed information that KRUSE was driving around the property and had priors for "2800", (evading police officers) and then drove back around the property and passed Officer CONLON who was still awaiting the arrival of Officer MOULTON.

Det. ROBERTSON entered a dirt road accessing 1641 Dehesa Road, and Officers CONLON and MOULTON drove in behind him. Det. ROBERTSON drove one way on the property looking for KRUSE, and Officers CONLON and MOULTON drove in another direction.

Officer CONLON was first to observe KRUSE at the uppermost portion of the property, standing outside her vehicle. Officer CONLON exited his vehicle and noticed that KRUSE immediately got into her vehicle. She did not respond to his verbal commands to "show me your hands". Shortly thereafter, Officer MOULTON and his partner arrived on the scene and also exited their vehicle. They began issuing the verbal commands to have KRUSE show her hands so the officers could see she was not armed.

Not gaining KRUSE's compliance to their commands to show her hands, and not knowing if the fraud suspect previously mentioned was currently with her, both Officers CONLON and MOULTON drew their handguns and pointed them at KRUSE. At this time, Det. ROBERTSON arrived in his vehicle and parked a short distance from the scene. He got out of his vehicle and was standing next to it when he saw the officers with their handguns drawn, ordering KRUSE to raise her hands.

KRUSE did not respond to the officers' commands and as the three officers closed the distance between their patrol vehicles and her own, on foot, she shifted her vehicle into Reverse and rapidly accelerated away from them. Her vehicle turned to the left and came to rest a short distance from Officer CONLON's car, at which time, KRUSE put her vehicle into Drive and drove southbound toward the property line. At this time, Officer BECK ran toward the vehicle and using an ASP impact weapon, broke the driver's side window in an effort to enable him to stop KRUSE from leaving.

As this was occurring, Officers MOULTON and CONLON, with their handguns still drawn, were re-positioning themselves. Immediately after Officer BECK broke the driver's window, KRUSE shifted into Reverse and accelerated rapidly toward Officer CONLON's car. As she did so, the left rear of her vehicle struck the

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right rear of Officer CONLON's car, partially bumping Officer CONLON out of his position of cover from behind the left rear quarter panel of his vehicle. KRUSE's vehicle came to rest approximately 15'-30' behind Officer CONLON's vehicle, at which time she shifted into Drive and began to rapidly accelerate her vehicle. Det. ROBERTSON got back into his vehicle in an effort to follow KRUSE if she was able to flee from the vehicle.

While adjusting to KRUSE's actions, Officer MOULTON found himself on the left side of KRUSE's vehicle while Officer CONLON was positioned slightly toward the front right of KRUSE's vehicle. KRUSE's driving maneuvers had stirred up a substantial amount of dust and the officers had a difficult time orienting themselves away from her random directions of travel.

As KRUSE accelerated forward rapidly, CONLON fired his handgun at her due to the fact that he believed she was trying to run him over. As he did so, he moved away from the front area of her vehicle, around her vehicle to the right passenger side. He continued to fire until he felt she was no longer an immediate threat to his life. Simultaneous with CONLON's actions, Officer MOULTON fired his handgun due to the fact that he perceived the same threat to Officer CONLON's life.

Both Officers MOULTON and CONLON fired until the vehicle was no longer a threat to Officer CONLON and drove westbound across the property into and under a steel horse corral. MOULTON and CONLON pursued the vehicle on foot, at which time KRUSE turned the vehicle around and began accelerating rapidly back to the area from where she had just driven, eastbound, dragging the steel horse corral with her vehicle. As she was doing this, the enclosure, now deformed from the impact, began encroaching on Officers MOULTON and CONLON, causing them to turn around and run in an eastward direction. Officer MOULTON was struck by the enclosure as KRUSE drove past them and ultimately came to a stop because she was almost completely entangled with the steel enclosure.

At this time, Det. ROBERTSON, who had gotten out of his vehicle after hearing the shots fired, was approximately 15' - 30' away from KRUSE's vehicle and had his handgun drawn as well. KRUSE was slowing her forward progress due to her entanglement and he was able to stand in front of her vehicle as it appeared unable to continue forward. KRUSE then stopped her forward momentum, shifted into Reverse, and backed out into the center area of what was left of the corral, driving over a fallen portion of the corral and then drove away from the scene to the lower portion of the lot from where she had originally come.

Officers were responding to the initial "11-99 shots fired" call and Sgt. T. MacGILLIVRAY, ECPD Traffic Division, encountered KRUSE in her Jeep as she was

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driving through the lower portion of the property. Sgt. MacGILLIVRAY employed a legal intervention technique and the impact between his vehicle and KRUSE's vehicle stopped her momentum. MacGILLIVRAY and other responding officers were able to take KRUSE into custody without further incident.

At this time, officers noticed that there was a small child in the right rear passenger seat of the Jeep KRUSE was driving and was uninjured. The child, [REDACTED] was taken into protective custody at this time.

KRUSE sustained a small contusion to her head, for which she was transported to Grossmont Hospital, treated and subsequently released. She was later booked into Las Colinas for the above mentioned charges. Prior to her booking, she was admonished of her Miranda rights, which she waived and indicated she would offer a statement for the investigators.

At that time, KRUSE told the interviewing investigator that she knew a detective had been following her reference a fraud investigation and that she had seen the detective talking to a marked patrol unit just before she tried to drive southbound off the property. She then said she believed the property was about to be "raided", so she drove away.

When the interviewing investigator asked KRUSE why she didn't comply with the initial officer's (CONLON) instructions, she said she had had bad experiences with the police in the past and did not want to be affiliated in any way with the subject she knew the detective was investigating for fraud.

At no time did KRUSE admit to wanting to intentionally harm the officers. She did, however, admit that she didn't want to be confronted by the officers nor cooperate with them, and was trying to drive away from them.

After her interview, KRUSE was booked into Las Colinas. A bail enhancement was sought and obtained reference the above listed charges. Her bail is currently set at \$500,000.

In subsequent interviews with Officers CONLON and MOULTON, neither officer said they saw the child in the vehicle during their brief encounter with KRUSE, due to the fact that the vehicle had tinted windows.

Respectfully submitted,

J. G. HAYS #158
Investigations Division
jg

CHM

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